

# **2021 APAAC Annual Administrative Professional Conference**

August 6, 2021



## **THE 3 PS: PEER PROGRAMS FOR PROSECUTION OFFICES**

Presented by:

**Mary Ashley**

Assistant District Attorney  
San Bernadino District Attorney's Office

Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL  
3838 N. Central Ave., Suite 850  
Phoenix, Arizona 85012

ELIZABETH BURTON ORTIZ  
EXECUTIVE DIRECTOR

# The Value in the 3 P's of Wellness Peer Programs for Prosecutors

Presented by: Mary Ashley  
Deputy District Attorney  
San Bernardino County  
California



August, 2021  
APAAC

# Who I am

- Mary Ashley
- Prosecutor for 23 years
- Former Lead DA of Family Violence Unit, Supervisor, Chief Deputy and Assistant District Attorney
- Currently assigned to Specialized Prosecutions Division
- Co-Coordinator for Peer Support Team

# Wellness in the Attorney Workplace

---



Where did this concept  
come from?



We are lawyers, we're  
not supposed to be  
"well", we're supposed  
to be fighter pilots and  
sharks, right?



We are also supposed  
to be competent –  
which now includes  
Well-Being

# American Bar Association

- In 2017, the ABA releases a report which includes a call to action for lawyer wellness
- Includes recommendations for training, education and peer teams
- Recommends the rules of professional responsibility be modified to include well-being within competency

# Attorney Assistance Programs

- ABA has an assistance program, as do many state bar associations
- Many private law firms now have in-house programs
- Many public sector offices have county or state Employee Assistance Programs – not all are tailored to meet the needs of prosecutors

## Where does Peer Support Come From?

- Primarily modeled after law enforcement and first responder programs
- Concept is well known in the substance abuse and mental health field
- We see it now in many areas – diet, exercise, motivational team building

# Why?

- Law Enforcement has high suicide rates, health problems, family stress
- The legal profession also has high rates of depression, alcohol abuse and suicide rates on are the rise\*
- \*Cho, Attorney Suicide: What Every Lawyer Needs to Know



# Why Else?

- Because we need to build our resiliency in order to survive these stressful, hypervigilant professions.
- We need to avoid the burnout and bitterness that many feel towards the middle to end of their career
- We need to be there for our victims and give them hope.
- We start by giving some hope to ourselves.
- \* Kevin Gilmartin, Emotional Survival For Law Enforcement

# The Federal Government now recognizes the need

- President's Commission on Law Enforcement and the Administration of Justice Report
- Hearing on Law Enforcement Wellness (2020)
- Report identifies prosecutors, investigators and victim advocates as criminal justice partners who are regularly exposed to traumatic situations that negatively affect their resiliency.
- Identified peer support, mental health checks and education as tools

# Peer Support as an Organizational Strategy



Peer support encompasses a range of activities and interactions between people who share similar experiences



"Peerness" is the mutuality between persons seeking help and promotes connection and inspires hope. It offers a level of acceptance, understanding and validation



\*Mead & McNeal: Peer Support: What Makes it Unique

# People are reluctant to ask for help

Embarrassment

Perceived as  
"weak"

Ego

Worried about  
job

Afraid of stigma

Uncertain of  
what to do

Think peer  
programs are too  
"touchy feely"



# How Does a Peer Program Work?

A peer support program offers assistance and appropriate support resources to employees when personal or professional problems negatively affect their work performance, family or self.

Assistance is confidential providing it does not violate any laws or office policies\*

\*some states have specific legal guidelines codified governing confidentiality and requirements



## How it works

- Provide emotional support during and after times of personal or professional crisis to employees who express a need for assistance
- Promote trust, allow anonymity and preserve confidentiality for persons using peer supporters within the guidelines of the program
- Develop peer supporters who can identify personal conflicts and provide guidance or referral to professional/alternate sources

## How it works

- Maintain an effective training and response program
- Support those who have had a family tragedy
- Check on the status of illness and injuries on duty and provide support where desired and needed
- \*Dr. Nancy Bohls Penrod, Counseling Team International

COVID-19  
created a  
whole  
new need  
for  
support

- Illness in the workplace
- Quarantine
- Remote work
- Home school
- Less interpersonal contact
- Distance and space  
between colleagues/masks
- Family and friend's illness  
and loss
- Social media
- Fear of becoming ill
- Vaccine



---


+ • Why do people often  
o prefer to speak with a  
peer rather than a  
manager?

## Answer

- Many distrust their management
- Fear retaliation/punishment
- Feel it will reflect poorly on their work performance evaluation
- Feel more comfortable with someone in their own group (could be a number of factors – someone who has “been in their shoes)

# What do people want to talk about?

- All kinds of things!  
Finances, stress,  
marriage, alcoholism,  
grief, kids, work, illness .  
. . . You name it
- They want someone to  
listen without  
judgement, without  
telling them what to do,  
without oversharing their  
own “I know how you  
feel” story and without  
diverting their attention  
to their phone/computer  
and really listening



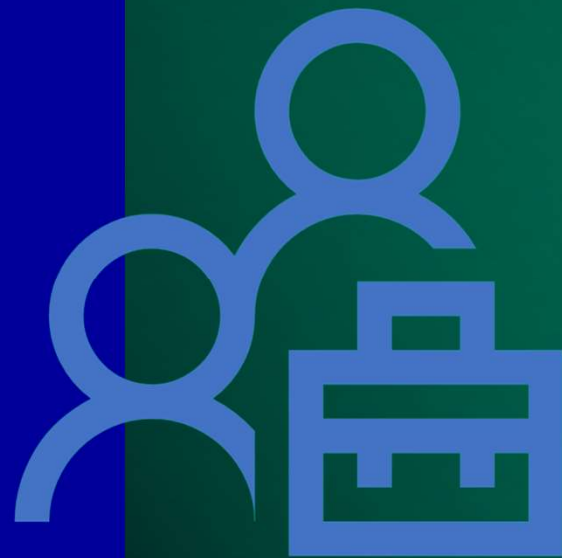
# How do you put together a team?

---

- Need to have the support of your administration
- Need to have someone that is willing to lead/coordinate the team
- Need to create a selection process
- Need to provide Basic training to educate potential members what their responsibilities would be prior to final selection

# Forming a Team

- Finding out who might be interested in volunteering (not everyone who wants to be a peer supporter should be one)
- Having managers recommend or colleagues nominate good candidates
- Screening those candidates with HR/manager to ensure it is appropriate
- Setting an amount of how many members you want on a team



# Training

- Basic Peer Support Training
- Creating guidelines
- Signing an MOU with team members
- Training needs to be done with a professional licensed mental health provider
- Will need some funding
- After the initial training, let participants decide if they want to commit and if they would be good members

- Maturity
- Good reputation
- Responsible
- Able to volunteer time
- In good standing with the department
- Someone who people would feel comfortable talking to (not the office gossip, goof ball or someone who needs to give lots of advice)

## Selection



# Selection

- Diversity
- Inclusivity
- Multi Disciplinary
- Responsibilities differ for supervisory members and non supervisory members
- You want a team that reflects the office



+

•

0

# Training

- Components should include active listening skills, suicide prevention, awareness of available resources for referrals, crisis intervention, grief and mourning, relationship issues and substance abuse.
- Training should include role playing
- Parameters of confidentiality

# Confidentiality

- If your program does not allow for confidentiality in **most** circumstances, it will lack integrity and not be successful
- Will vary state to state depending upon the law
- Does not allow someone who is committing acts of child abuse, domestic violence or elder abuse to be kept confidential
- Does not allow someone who has expressed they want to harm themselves or someone else – or are in immediate danger of doing so

# Confidentiality

- Peer supporters are trained to let the person know what can and cannot be kept confidential – transparency and honesty are critical
- There can be a provision where the peer supporter may disclose with the person's permission

# Training

- Advanced Peer Support Training
  - Secondary Trauma
  - Compassion Fatigue
  - Post Traumatic Stress Disorder
  - Suicide
  - Critical Incident Stress Management
  - Depression
  - Resiliency
  - Self-Care

# How the Team Functions

Schedule

Schedule regular meetings

Review

Review statistics

Determine

Determine size of team, evaluations, rotations

Create

Create parameters to avoid loopholes or inappropriate use of peer support (time allocations, accountability)

# What resources are available

- Creating flyers/cards/webpage with list of resources for employees
- 24/7 hotline information for crisis
- Domestic Violence Shelters
- Substance Abuse Centers
- How to access services

# Resources are important

- Peer supporters are not counselors, therapists or mental health professionals
- They are trained to listen, assess and refer if necessary
- Must have reliable counseling services to refer to (through office, county, health insurance, EAP, etc.)

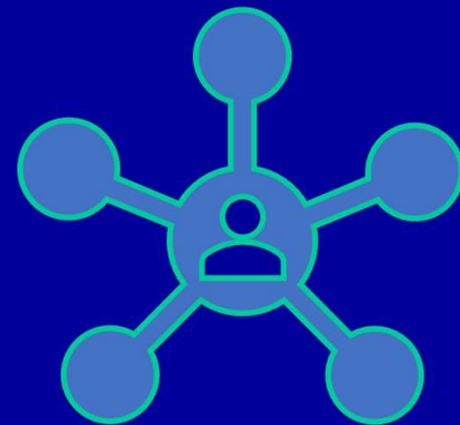
# Agreement

- Important to have an agreement that each member signs understanding the rules
- The DA has the authority to remove anyone from the team
- Membership is not a right of employment/voluntary only



# Record Keeping

- Tracking system
  - Important to have an internal way to know how many contacts are made
  - Nature of contacts
  - Time spent on peer supporting
  - Number of referrals
  - Statistics help departments with funding, validating the use of the program while maintaining confidentiality



Now  
that the  
team  
has been  
formed,  
what's  
next?

- Teams can put on trainings for the office
- Host informational events
- Create materials for services
- Webinars
- Prior to *Covid* – lunchtime tutorials, holiday gatherings, health & fitness information

# Building Rapport



- The team members themselves need to build rapport with one another
- Ongoing training
- Quarterly team meetings
- It takes awhile for any program to get started – with the support of your administration, it can be successful
- Make sure managers are aware of the program

# What kinds of things can the team do?

- Sympathy cards/care baskets
- Supportive emails or articles
- Welcoming new members to the office
- “check-in’s” with co-workers
- Offering support to other agencies (law enforcement, probation, etc. when needed)
- Following up with those who have sought assistance

+

0

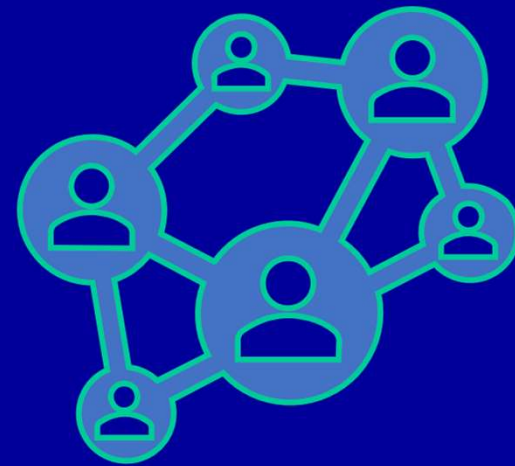


# The Team

- Peer supporters can be a great way for an administration to hear about what issues are going on in the office, concerns people have, what employees really need from their office and morale
- Can encourage mental and emotional well-being as a priority in the office
- Informal conflict resolution

# Empowering employees

- Peer team members enjoy helping others
- Feel trusted by their administration to be on the team
- Learn valuable skills that can be applied not only to their work but to their personal lives as well
- A sense of purpose beyond their paid assignment



# Not All Budgets Are The Same

- Some offices have the ability to pay for jackets/shirts/materials
  - Dedicated office or line
  - food at gatherings
  - Some offices don't - a peer support team can be successful even without a lot of funding
  - Look for grants, partnering with other agencies, county resources or training funds

+  
•  
o

# Smash the Stigma\*

- Creating an atmosphere that encourages people to communicate, take care of themselves and prioritize their families and well-being
- Eliminating the idea that seeking help is a weakness
- \*Michael Sugrue, Retired Police Sgt., professional speaker on PTSD



+  
•  
0

# A “Well” Prosecutor is a Competent Prosecutor

- From the public’s perspective, we are the true “gatekeepers” of the criminal justice system
- A prosecutor who is emotionally supported by their administration and trained to manage stress is a far better reasoned and capable decision maker who can exercise good judgment and discretion



## Time To Get Started

- Many good models out there
- Lots of online training available and providers
- Customize a program that works for your office
- Build bridges for employees to get help before it turns into a crisis
- Be prepared for when something is a crisis

# The Goal

- Helping people so we can continue to serve the People
- It is what we do every day for victims and our community
- It is what we should be doing for prosecutors and staff to respond to the layers of demands and public opinion we face



THANK  
YOU FOR  
WHAT  
YOU DO

*We are all in the same storm but not always in the same boat. But many of us sail in the same turbulent waters and need a harbor in the tempest.*

# CONTACT INFORMATION

Mary Frances Ashley  
Deputy  
District Attorney  
San Bernardino County  
Phone: (909) 382-3663  
Email:  
[mashley@sbcda.org](mailto:mashley@sbcda.org)  
951-852-4307 - cell

Peer Support Co-Coordinator  
NDAA Board Member  
Vice-Chair Women Prosecutors'  
Section  
Vice-Chair Well-Being Taskforce

